

Notice of Allowability

Application No.

10/671,335

Examiner

Olga Asinovsky

Applicant(s)

CHU ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 30, 2005.
2. ☒ The allowed claim(s) is/are 1-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Change the status identifier in each claim 1, 4, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 26, 31, 32, 35, 37, 38, 39, 40, 43, 44, 45, 46, 47 and 52 from (amended) to –Currently amended–.

The status identifier for these claims was not properly submitted with the amendment on August 30, 2005.

2. The following is an examiner's statement of reasons for allowance: The claimed invention is directed to a quasi-interpenetrating network of polymer chains, the chains comprising: (a) linear polyacrylamide (LPA) chains in the form of a main frame wherein the lower boundary of the range of the weight average molecular weight is approximately 0.05 million g/mole, and wherein the upper boundary of the range of the weight average molecular weight is approximately 25 million g/mole, and wherein the lower boundary of the range of the radius of gyration is approximately 10 nm, and wherein the upper boundary of the range of the radius of gyration is approximately 350 nm; and (b) polydimethylacrylamide (PDMA) chains prepared by polymerizing PDMA in

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the presence of the LPA main frame, wherein the LPA and PDMA chains are entangled within one another and interpenetrate one another, and wherein the quasi-interpenetrating network has substantially no chemical cross-linking.

3. The closest reference is U.S. Patent 6,706,162 to Voss et al. While Voss discloses all claimed components, reference does not disclose or fairly suggest that polydimethylacrylamide (PDMA) chains prepared by polymerizing PDMA in the presence of the LPA main frame, such that the LPA and PDMA chains are entangled within one another and interpenetrate one another that the resulting structure has a quasi-interpenetrating network. Also, Voss does not disclose the claimed two different type of polymers (LPA and PDMA) having specified characteristics in the present claims.

In Voss invention a composition comprises a non-crosslinked acrylamide polymer and a surface interaction of a polydimethylamide.

Terminal Disclaimer

4. The terminal disclaimer filed on August 30, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of the Patent 6,770,698 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The obviousness-type double patenting rejection of claims 1-52 over claims 108 of Patent No. 6,770,698 to Chu et al is overcome in light of a proper Terminal Disclaimer.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Asinovsky whose telephone number is 571-272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.

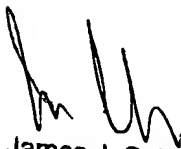
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.A.

October 31, 2005

Olga Asinovsky
Examiner
Art Unit 1711


James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700